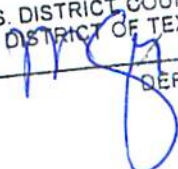


IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 14-50822

FILED

JAN 15 2015

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY

DENNIS OLIVARES,

Plaintiff - Appellant

v.

RAUSCH, STURM, ISRAEL, ENERSON, & HORNICK, L.L.C.,

Defendant - Appellee

Appeal from the United States District Court for the
Western District of Texas, San Antonio
USDC No. 5:12-CV-1071 -HLH

Before DAVIS, OWEN, and HAYNES, Circuit Judges.

PER CURLAM:

This court must examine the basis of its jurisdiction, on its own motion if necessary. *Hill v. City of Seven Points*, 230 F.3d 167, 169 (5th Cir. 2000). Pursuant to 28 U.S.C. § 2107(a) and Federal Rule of Appellate Procedure 4(a)(1)(A), the notice of appeal in a civil case must be filed within thirty days of entry of judgment. In this Fair Debt Collection Practices Act case, the district court entered final judgment dismissing the complaint on November 1, 2013 and an order denying a Federal Rule of Civil Procedure 60(b) motion on June 23, 2014. Therefore, the final day for filing a timely notice of appeal was July 23, 2014. The plaintiff's notice of appeal was filed on July 28, 2014. The

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statutory time limitation for filing a notice of appeal in a civil case is jurisdictional. *Bowles v. Russell*, 551 U.S. 205, 212-13 (2007). The lack of a timely notice mandates dismissal of the appeal. *Robbins v. Maggio*, 750 F.2d 405, 408 (5th Cir. 1985).

IT IS SO ORDERED.



A True Copy
Certified order issued Dec 15, 2014

Styl W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit